

WEIL, GOTSHAL & MANGES LLP
Stephen Karotkin (*pro hac vice*)
(stephen.karotkin@weil.com)
Ray C. Schrock, P.C. (*pro hac vice*)
(ray.schrock@weil.com)
Theodore Tsekerides (*pro hac vice*)
(theodore.tsekerides@weil.com)
Jessica Liou (*pro hac vice*)
(jessica.liou@weil.com)
Matthew Goren (*pro hac vice*)
(matthew.goren@weil.com)
New York, NY 10153-0119
Tel: (212) 310-8000
Fax: (212) 310-8007

KELLER & BENVENUTTI LLP

KELLER & BENVENUTTI PLLC
Tobias S. Keller (#151445)
(tkeller@kellerbenvenutti.com)
Peter J. Benvenutti (#60566)
(pbenvenutti@kellerbenvenutti.com)
Jane Kim (#298192)
(jkim@kellerbenvenutti.com)
650 California Street, Suite 1900
San Francisco, CA 94108
Tel: (415) 496-6723
Fax: (415) 636-9251

Attorneys for Debtors and Debtors in Possession

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

In re:

PG&E CORPORATION,

- and -

PACIFIC GAS AND ELECTRIC COMPANY,

Debtors.

- Affects PG&E Corporation
 - Affects Pacific Gas and Electric Company
 - Affects both Debtors

* All papers shall be filed in the lead case,
No. 19-30088 (DM)

Bankruptcy Case
No. 19-30088 (DM)

Chapter 11 (Lead Case) (Jointly Administered)

**STIPULATION BETWEEN DEBTOR
PACIFIC GAS AND ELECTRIC
COMPANY AND TIGER NATURAL GAS,
INC. FOR LIMITED RELIEF FROM THE
AUTOMATIC STAY**

[Relates to Dkt. Nos. 4321-4322]

[Regarding Motion Set for Hearing
February 26, 2020 at 10:00 am]

This stipulation (the “**Stipulation**”) is entered into by and between Pacific Gas and Electric Company (the “**Utility**” or the “**Debtor**”), as debtor and debtor in possession, and movant Tiger Natural Gas, Inc. (“**Tiger**”). The Debtor and Tiger are referred to in this Stipulation collectively as the “**Parties**,” and each as a “**Party**.**”** The Parties hereby stipulate and agree as follows:

RECITALS

A. On October 18, 2019, Tiger filed the *Motion for Relief from Stay Pursuant to 11 U.S.C. § 362(d)(1)* [Dkt. 4322] (the “**Motion**”). The Debtors filed their *Preliminary Opposition to Tiger Natural Gas, Inc.’s Motion for Relief from the Automatic Stay Pursuant to 11 U.S.C. § 362(d)(1)* [Dkt. 4622] on November 8, 2019. On November 10, 2019, the Court issued a tentative ruling proposing to drop the hearing on the Motion (the “**Hearing**”) from the November 13, 2019 omnibus calendar and resetting it for 2020. Tiger did not contest this tentative ruling.

B. On January 7, 2020, the Court set the Hearing for February 26, 2020 at 10:00 a.m.

C. In the Motion, Tiger seeks relief from the automatic stay to prosecute its claims in those pending in the United States District Court for the Northern District of California (the “District Court”), *Tiger Natural Gas, Inc. v. Pacific Gas and Electric Company, et al.*, Case No. CV-06711 (JSW) (the “**Tiger Action**”).

D. Tiger filed the Tiger Action on November 18, 2016. Its complaint alleges claims against the Utility and three individual Utility employees (the “**Individual Defendants**”) relating to the Debtors’ billing and collection practices, based on causes of action asserted under California State law for intentional and negligent misrepresentation, intentional interference with contract, breach of contract, breach of fiduciary duty and the California Unfair Competition Law, and under the federal RICO and antitrust statutes.

E. The Debtors and the Individual Defendants filed their answer, denying all allegations, on November 8, 2017.

F. The Debtor and its parent, PG&E Corporation (collectively the “**Debtors**”), filed these Chapter 11 Cases on January 29, 2019 (the “**Petition Date**”).

1 G. On February 4, 2019, the Debtors filed a *Notice of Bankruptcy Proceeding* in the
2 Tiger Action based on these Chapter 11 Cases. On February 27, 2019, the District Court entered
3 the *Order Staying Case and Requiring Joint Status Reports*, staying the Tiger Action as to both
4 the Utility and the Individual Defendants.

5 **NOW, THEREFORE, IT HEREBY IS STIPULATED AND AGREED BY AND
6 BETWEEN THE PARTIES, THROUGH THE UNDERSIGNED, AND THE PARTIES
JOINTLY REQUEST THE COURT TO ORDER, THAT:**

7 1. This Stipulation shall be effective upon entry of an order by this Court
8 approving it.

9 2. The February 26 Hearing shall be taken off calendar.

10 3. The Parties shall promptly engage in good faith settlement negotiations with
11 respect to the Tiger Action. To that end, the Parties agree to engage a mediation neutral – Hon.
12 Carl J. West (ret.), who has assisted the Parties in prior settlement efforts, if he is available; and if
13 not, a neutral selected by mutual agreement – to serve as a settlement facilitator in the Parties'
14 informal settlement negotiations and, if those negotiations do not result in a settlement of the Tiger
15 Action, to conduct a formal mediation session (the “**Mediation**”) on a mutually agreeable date that
16 will afford sufficient time for informal settlement efforts before the Mediation.

17 4. The automatic stay shall immediately be modified, to the extent necessary,
18 to permit the Parties to engage in the settlement and mediation activities described in para. 3 above.
19 The automatic stay shall remain in place for all other purposes.

20 5. If the Parties’ settlement efforts, including the Mediation, do not result in a
21 settlement between Utility and Tiger, Tiger may put the Motion back on calendar on reasonable
22 notice.

23 6. This Court shall retain jurisdiction to resolve any dispute regarding, and to
24 enforce, the terms of this Stipulation and the order approving it.

1 Dated: January 21, 2020
2 WEIL, GOTSHAL & MANGES LLP
3 KELLER & BENVENUTTI LLP
4 /s/ Peter J. Benvenutti
Peter J. Benvenutti
5 *Attorneys for Debtors
and Debtors in Possession*
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Dated: January 21, 2020
HOLLAND & KNIGHT LLP
/s/ Leah E. Capritta
Leah E. Capritta
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